

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the subject application. The Office Action of December 24, 2003 has been received and contents carefully reviewed. By this amendment, Applicant amends claims 11, 50-52, 65, 70, and 80. Accordingly, claims 1-41, 43-52, and 54-82 are pending. Reconsideration and withdrawal of the rejection in view of the above amendments and the following remarks are requested.

In the Office Action dated December 24, 2003, the Examiner objects to claims 50-52 due to informalities; rejects claims 1-3, and 81-82 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,475,749 to Akinpelu et al. (hereinafter "Akinpelu") in view of U.S. Patent No. 5,896,447 to Bunge et al. (hereinafter "Bunge") further in view of U.S. Patent No. 6,430,277 to Roadifer et al. (hereinafter "Roadifer"); rejects claims 11-15, 65, 70 and 80 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of U.S. Patent No. 5,699,416 to Atkins (hereinafter "Atkins") further in view of Roadifer; rejects claims 16-20, 66-69, and 71-74 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Atkins and Roadifer, further in view of Bunge; rejects claims 4-6 and 10 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Bunge in view of Roadifer, further in view of Atkins; rejects claims 21-41, 43-52, 54-64 and 75-79 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Atkins in view of Roadifer, further in view of U.S. Patent No. 6,430,274 to Winstead et al. (hereinafter "Winstead"); and rejects claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Bunge, in view of Atkins, in view of Roadifer, further in view of Winstead.

In the Office Action dated December 24, 2003, the Examiner objects to claims 50-52 due to informalities. Applicant hereby amends claims 50-52, addressing the informalities cited by the Examiner.

In the Office Action dated December 24, 2003, the Examiner rejects claims 1-3, and 81-82 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Bunge, further in view of Roadifer. The rejection of claim 1 is respectfully traversed and reconsideration is requested. Applicant traverses the rejection because neither Akinpelu, Bunge, or Roadifer, alone or in any combination, teaches or suggests “processing a telephone call prior to connecting the telephone call,” the method comprising “determining information about the telephone number including whether...the telephone number is associated with a switchless reseller.” The Examiner relies on Roadifer for this feature. Roadifer, however, teaches an invention in which “smart pay telephones store information about calls made therefrom in a memory within the smart pay telephone. The information, in the form of records, is ordinarily downloaded,” and “[o]nce the records are downloaded, they are processed.” Col. 3, lines 8-14. Roadifer determines if calls were made to toll free numbers, so the owners of those numbers can be billed. This is done by downloading call data from the smart phone, and processing the data on another computer. This is contrary to the present invention where determining if a telephone is associated with a switchless reseller is done before connecting the call. Applicant respectfully asserts that at least the above feature of claim 1 is patentably distinct from the teaching of Roadifer. Accordingly, Applicant respectfully submits that claim 1 and claims 2-10, which depend from claim 1, are allowable over the cited references.

In the Office Action dated December 24, 2003, the Examiner rejects claims 11-15, 65, 70 and 80 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Atkins,

and further in view of Roadifer. The rejection of independent claim 11 is respectfully traversed and reconsideration is requested. Applicant traverses the rejection because neither Akinpelu, Atkins, or Roadifer, alone or in any combination, teaches or suggests all the features of claim 11, such as “determining from the information, prior to connecting the telephone call, whether the terminating carrier is a switchless reseller.” Nothing in the cited references, singly or in combination, teaches or suggests at least this feature of the claimed invention as discussed with respect to claim 1. Accordingly, Applicant respectfully submits that independent claim 11, and claims 12-20 and 81-82, which depend from claim 11, are allowable over the cited references.

The Applicant respectfully traverses the rejection of claim 65 and requests reconsideration. Independent claim 65, as amended, is allowable over the cited references in that the claim recites “processing a telephone call prior to connecting the call, the method comprising... using the telephone number to determine if the telephone number is associated with a switchless reseller.” Nothing in Akinpelu, Atkins, or Roadifer, singly or in any combination, teaches at least this feature of the claimed invention as discussed above with respect to claim 1. Accordingly, Applicant respectfully submits that claim 65, and claims 66-69, which depend from claim 65, are allowable over the cited references.

The Applicant respectfully traverses the rejection of claim 70 and requests reconsideration. Independent claim 70, as amended, is allowable over the cited references in that the claim recites “processing a telephone call prior to connecting the call, the method comprising... determining that the dialed telephone number is associated with a switchless reseller.” Nothing in Akinpelu, Atkins, or Roadifer, singly or in any combination, teaches at least this feature of the claimed invention as discussed above with respect to claim 1.

Accordingly, Applicant respectfully submits that claim 70, and claims 71-19, which depend from claim 70, are allowable over the cited references.

In the Office Action dated December 24, 2003, the Examiner rejects claims 16-20, 66-69, and 71-74 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Atkins and Roadifer, and further in view of Bunge. Applicant respectfully traverses the rejection of claims 16-20 and requests reconsideration. Claims 16-20 depend, directly or indirectly, from amended independent claim 11. Claims 16-20 are allowable in that the additional reference, Bunge, fails to cure the deficiency, as discussed above, of Akinpelu, Atkins and Roadifer in teaching or suggesting “determining from the information, prior to connecting the telephone call, whether the terminating carrier is a switchless reseller.” Accordingly, Applicant respectfully submits that claims 16-20 are allowable over the cited references.

Applicant respectfully traverses the rejection of claims 66-69 and requests reconsideration. Claims 66-69 depend from amended independent claim 65. Claims 66-69 are allowable over the references in that the additional reference, Bunge, fails to cure the deficiency, as discussed above, of Akinpelu, Atkins and Roadifer in teaching or suggesting “processing a telephone call prior to connecting the call, the method comprising... using the telephone number to determine if the telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 66-69 are allowable over the cited references.

Applicant respectfully traverses the rejection of claims 71-74 and requests reconsideration. Claims 71-74 depend from amended independent claim 70. Claims 71-74 are allowable over the references in that the additional reference, Bunge, fails to cure the deficiency, as discussed above, of Akinpelu, Atkins and Roadifer in teaching or suggesting “processing a

telephone call prior to connecting the call, the method comprising... determining that the dialed telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 71-74 are allowable over the cited references.

In the Office Action dated December 24, 2003, the Examiner rejects claims 4-6 and 10 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Bunge in view of Roadifer, further in view of Atkins. Claims 4-6 and 10 depend from independent claim 1. Claims 4-6 and 10 are allowable over the references in that the additional reference, Atkins, fails to cure the deficiency of Akinpelu, Bunge and Roadifer, as discussed above, in teaching or suggesting “processing a telephone call prior to connecting the telephone call, comprising... determining ...whether the telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 4-6 and 10 are allowable over the cited references.

In the Office Action dated December 24, 2003, the Examiner rejects claims 21-41, 43-52, 54-64 and 75-79 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Atkins in view of Roadifer, further in view of Winstead. The Applicant respectfully traverses the rejection of independent claim 21 and requests reconsideration. Independent claim 21 is allowable over the cited references in that the claim recites “performing a reverse directory lookup query in a database,” and “comparing the dialed telephone number listing information to listing information including associated telephone numbers to identify other telephone numbers associated with the dialed telephone number listing information.” Nothing in Akinpelu, Atkins, Roadifer, or Winstead, singly or in any combination, teaches or suggests at least this feature of the claimed invention. For instance, Winstead teaches “when a caller initiates a collect-call-only telephone call, a local Negative database is queried, then a local Fraud or BNS database query is

executed, followed by a query to an external LIDB. These queries seek to determine whether the third party exists, whether the telephone number is blocked, whether that third party's credit history is sufficient and, possibly, whether that third party is willing to accept such charges." Col. 5, lines 19-27. This contrasts with claim 21, which recites "performing a reverse directory lookup query in a database," and "comparing the dialed telephone number listing information to listing information including associated telephone numbers to identify other telephone numbers associated with the dialed telephone number listing information." Accordingly, Applicant respectfully submits that claim 21, and claims 22-28, which depend from claim 21, are allowable over the cited references.

Applicant respectfully traverses the rejection of independent claim 29 and requests reconsideration. Independent claim 29 is allowable over the cited references in that it recites "performing a reverse directory lookup query of the billing telephone number in a database," and "comparing the bill-to listing information in said query to listing information including associated telephone numbers to identify other telephone numbers associated with the bill-to listing information." Nothing in Akinpelu, Atkins, Roadifer, or Winstead, singly or in any combination, teaches or suggests at least this feature of the claimed invention, as discussed with respect to claim 21. Accordingly, Applicant respectfully submits that claim 29, and claims 30-36, which depend from claim 29, are allowable over the cited references.

Applicant respectfully traverses the rejection of independent claim 37 and requests reconsideration. Independent claim 37 is allowable over the cited references in that it recites "performing a reverse directory lookup query in a database to determine a listed name associated with the dialed telephone number," and "comparing the listed name to the allowed list to determine if the listed name is contained in the allowed list." Nothing in Akinpelu, Atkins,

Roadifer, or Winstead, singly or in any combination, teaches or suggests at least this feature of the claimed invention, as discussed with respect to claim 21. Accordingly, Applicant respectfully submits that claim 37, and claims 38-40, which depend from claim 37, are allowable over the cited references.

Applicant respectfully traverses the rejection of independent claim 41 and requests reconsideration. Independent claim 41 is allowable over the cited references in that it recites “performing a reverse directory lookup query in a directory assistance database,” and “identifying listing information associated with the dialed number.” Nothing in Akinpelu, Atkins, Roadifer, or Winstead, singly or in any combination, teaches or suggests at least this feature of the claimed invention, as discussed above with respect to claim 21. Accordingly, Applicant respectfully submits that claim 41 is allowable over the cited references.

Applicant respectfully traverses the rejection of independent claim 49 and requests reconsideration. Independent claim 49 is allowable over the cited references in that it recites “analyzing the credit information to determine whether the collect call should be connected, wherein the listing information includes a listed address.” Nothing in Akinpelu, Atkins, Roadifer, or Winstead, singly or in any combination, teaches or suggests at least this feature of the claimed invention, as discussed above with respect to claim 21. Accordingly, Applicant respectfully submits that claim 49, and claims 43-48 and 50-52, which depend from claim 49, are allowable over the cited references.

Applicant respectfully traverses the rejection of independent claim 61 and requests reconsideration. Independent claim 61 is allowable over the cited references in that it recites “performing a reverse directory lookup query in a database,” and “analyzing the credit

information to determine whether the bill-to-third-party call should be connected, wherein the listing information includes a listed address.” Nothing in Akinpelu, Atkins, Roadifer, or Winstead, singly or in any combination, teaches or suggests at least this feature of the claimed invention, as discussed with respect to claim 21. Accordingly, Applicant respectfully submits that claim 61, and claims 54-60 and 62-64, which depend from claim 61, are allowable over the cited references.

Applicant respectfully traverses the rejection of claims 75-79 and requests reconsideration. Claims 75-79 depend from claim 70. Applicant respectfully asserts that the additional references, Atkins and Winstead, fail to cure the deficiency, as discussed with respect to claim 1, of Akinpelu, Bunge, and Roadifer to teach or suggest “processing a telephone call prior to connecting the call, the method comprising... determining that the dialed telephone number is associated with a switchless reseller.” Accordingly, Applicant respectfully submits that claims 75-79, which depend from claim 70, are allowable over the cited references.

In the Office Action dated December 24, 2003, the Examiner rejects claims 7-9 under 35 U.S.C. §103(a) as being unpatentable over Akinpelu in view of Bunge, in view of Atkins, in view of Roadifer, further in view of Winstead. Claims 7-9 depend from claim 1, which recites “processing a telephone call prior to connecting the telephone call,” the method comprising “determining information about the telephone number including whether...the telephone number is associated with a switchless reseller.” Applicant respectfully asserts that the additional references, Atkins and Winstead, fail to cure the deficiencies of Akenpelu, Bunge, and Roadifer. That is, none of the five references, singly or in any combination, teach or suggest at least this feature of the claimed invention as discussed above with respect to claim 1. Accordingly, Applicant respectfully submits that claims 7-9 are allowable over the cited references.



Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

By   
Rebecca Goldman Rudich

Registration No.: 41,786  
MCKENNA LONG & ALDRIDGE LLP  
1900 K Street, N.W.  
Washington, DC 20006  
(202) 496-7500  
Attorney for Applicant